

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARK DOUGLAS, :  
Plaintiff : No. 1:16-cv-01836  
: (Judge Kane)  
v. :  
MAJOR WESLEY E. NESBIT, et al., :  
Defendants :  
:

**ORDER**

AND NOW, on this 16th day of March 2017, in accordance with the Memorandum entered concurrently with this Order, **IT IS ORDERED THAT** Defendants' motion to dismiss (Doc. No. 8), is **GRANTED**, without prejudice to the Plaintiff's filing of a motion for leave to file a second amended complaint and proposed amended pleading that asserts his ADEA and Section 1981 claims against Defendant Deborah Nesbella within thirty (30) days of the date of this Order. See L.R. 15.1(a). **IT IS FURTHER ORDERED** that the case management conference scheduled for March 17, 2017 is **CANCELLED**.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania